

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at KNOXVILLE

BOBBY D. CANADA

*Petitioner,*

v.

VIRGINIA LEWIS, Warden

*Respondent.*

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No. 3:04-cv-177  
*Jarvis*

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum, the respondent's motion to dismiss is **GRANTED**. The petition for the writ of habeas corpus is **DENIED** and this action is **DISMISSED WITH PREJUDICE**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is hereby **DENIED**.

**E N T E R :**

s/ *James H. Jarvis*  
UNITED STATES DISTRICT JUDGE